



LERROY D. BACA, SHERIFF

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August 19, 2011

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

Dear Members of the Civil Grand Jury:

**RESPONSE TO THE FINAL REPORT OF THE 2010-11
LOS ANGELES COUNTY CIVIL GRAND JURY**

Attached is the Los Angeles County Sheriff's Department's (Department) response to the 2010-11 Civil Grand Jury Report recommendations (Attachment A). The Civil Grand Jury's areas of interest specific to the Department included our participation in the E-Subpoena, High Tech Forensics and Cyber Security Crime Fighting in the Digital Age, Education Based Incarceration, The Six Pods of Module 172, and Jails Committee. Should you have questions regarding our response, please contact Division Director Victor Rampulla at (323) 526-5357.

Sincerely,

LERROY D. BACA
SHERIFF

RECOMMENDATIONS TO THE 2010-2011 GRAND JURY REPORT

APPLICABLE SECTION	LEAD(S)	SUPPORT DEPARTMENT/ AGENCY	RECOMMENDATION NUMBER(S)	PAGE NUMBER(S)
Post Adoption Services	Children and Family Services (DCFS)	None	1 - 4	1-8
E-Subpoena	Sheriff, District Attorney	None	3 - 5	21-29
High Tech Forensics and Cyber Security Crime Fighting in the Digital Age	District Attorney	None	1	31-50
High Tech Forensics and Cyber Security Crime Fighting in the Digital Age	Sheriff	None	2	31-50
High Tech Forensics and Cyber Security Crime Fighting in the Digital Age	Chief Information Office, Internal Services, Auditor-Controller	None	3	31-50
High Tech Forensics and Cyber Security Crime Fighting in the Digital Age	Chief Executive Office - Intergovernmental and External Affairs	None	4	31-50
High Tech Forensics and Cyber Security Crime Fighting in the Digital Age	Chief Executive Office - Public Safety	None	5	31-50
Education Based Incarceration	Sheriff	None	1 - 6	51 - 58
Uncollected Medical Bills in the County's Three Major Medical Facilities	Health Services	None	1 - 10	59 - 71
Sub-Acute Health Facilities	Public Health	None	1 - 6	131-139
The Six Pods of Module 172	Sheriff	None	1, 2	141 - 147

ATTACHMENT A
REVISED

APPLICABLE SECTION	LEAD(S)	SUPPORT DEPARTMENT/ AGENCY	RECOMMENDATION NUMBER(S)	PAGE NUMBER(S)
Transition Age Youth (TAY) Journey	DCFS, Probation	None	1 - 10	181 - 201
Assessment of the State of Pension Plans in Los Angeles County	Chief Executive Office – Benefits, Compensation Policy & Employee Relations	None	1 - 6	203 – 253
Assessment of the State of Pension Plans in Los Angeles County	Los Angeles County Employees Retirement Association	None	7	203 – 253
Jails Committee	Sheriff	None	1, 2	333 - 335

RESPONSE TO THE GRAND JURY FINAL REPORT

COUNTY OF LOS ANGELES – SHERIFF'S DEPARTMENT

SUBJECT: 2010-2011 GRAND JURY RECOMMENDATIONS FOR
E-SUBPOENA

RECOMMENDATION NO. 3

LASD and LAPD evaluate electronically transmitting other documents such as police reports and probable cause determinations among law enforcement agencies, Prosecutors and the Court.

RESPONSE

LASD agrees with this recommendation. LASD is currently working on electronically transmitting probable cause determinations/declarations (ePCD project) from the arresting agency to the courts and then receiving an automated approved PCD at the arresting agency. LASD is also working on a Field-Based reporting System (FBRs) that once implemented will facilitate the transmission of automated reports to all criminal justice partners in Los Angeles County.

RECOMMENDATION NO. 4

LASD to expand implementation of filing Pitchess motions electronically. A Pitchess Motion defines those portions of a deputy's personnel file which may be made available to defense counsel.

RESPONSE

LASD agrees with this recommendation. LASD, the Public Defender's office and Compton Court completed a pilot project regarding the electronic filing of Pitchess motions and the results were extremely positive. The cost savings to the agencies involved was significant and the concept is currently being expanded to all courts in Los Angeles County.

RESPONSE TO THE GRAND JURY FINAL REPORT

COUNTY OF LOS ANGELES – SHERIFF'S DEPARTMENT

SUBJECT: 2010-2011 GRAND JURY RECOMMENDATIONS FOR
HIGH TECH FORENSICS AND CYBER SECURITY
CRIME FIGHTING IN THE DIGITAL AGE

RECOMMENDATION NO. 2a

The Los Angeles County Sheriff's Department (LASD), along with other police agencies in Los Angeles County, shall establish a "High Tech Forensics Bureau" which will facilitate:

- Promotions and career opportunity for those who are trained and skilled in this area without leaving the discipline.
- Succession planning and transfer of high tech expertise, preserving the investment made in creating the expertise.

RESPONSE

The Los Angeles County Sheriff's Department agrees with this recommendation. Currently, LASD operates a regional high tech task force (*Southern California High Tech Task Force -SCHTTF*) that investigates computer related crimes and also provides forensic examinations of technical equipment and software related to cyber crimes. SCHTTF is currently funded by a state grant through this current fiscal year.

- i. LASD acknowledges that it would be desirable to foster promotions and career advancement for those investigators currently assigned to the high tech task force. Maintaining experienced investigators in an ever changing technical world would enable the seamless transitioning of personnel promotions within the unit enabling the retention of trained personnel. Unfortunately court mandated processes require centralized testing to place personnel in coveted positions, and due to past and current promotional practices, significant changes in policy and civil service rules will have to occur in order to implement this recommendation.
- ii. On September 1, 2011, LASD will add three investigators to SCHTTF to augment the current number of nine investigators who handle forensic computer examinations and cyber investigations. The reason for the additional investigators is to train the new investigators and prepare them to replace pending retirements of currently assigned veteran investigators. It typically takes years to fully train cyber investigators and the three new investigators should make for a seamless transition when the retirements do occur.

LASD is currently preparing a request to acquire additional personnel and funding for a permanent and expanded high tech forensics unit. The request will be submitted during the 2011-2012 budget proposal process.

RECOMMENDATION NO. 2b

LASD should update law enforcement recruit and detective training to include orientation, procedures, protocols, and other training with respect to digital evidence.

RESPONSE

LASD agrees with this recommendation. LASD has created a structured class curriculum to educate detectives about basic techniques and protocols relative to digital /cyber crime investigations. Three classes have been scheduled during the month of August 2011, which will include detectives from all three field operations regions. Training for recruits will begin when a class curriculum is completed.

RECOMMENDATION NO. 2c

LASD should include digital evidence collection, analysis and use training at the station level during roll call (shift briefing.)

RESPONSE

LASD agrees with this recommendation. LASD is currently providing basic cyber crime training for all field operations personnel who are assigned to their station's detective bureaus. The intent of this training (sometimes referred to as "Train the Trainer") is to provide general entry level instruction relative to cyber crime to these station detectives. Once the initial detectives are trained, they will return to their units of assignments and hold in-service (roll call) training for all three field patrol shifts at their stations.

RECOMMENDATION NO. 2d

LASD should take steps to acquire POST certification for high tech training courses for forensic and cyber investigators to allow for the reimbursement of the costs.

REPSONSE

LASD agrees with this recommendation. LASD is currently researching and designing a curriculum that will be submitted for possible POST certification by the State. Captain Michael Parker who commands the Department's Headquarters (and Information) Bureau is the project manager. He is currently working with Federal, State, local and private entities to gather information and advice in order to initiate a training program that would be POST certified.

RESPONSE TO THE GRAND JURY FINAL REPORT

COUNTY OF LOS ANGELES – SHERIFF'S DEPARTMENT

SUBJECT: 2010-2011 GRAND JURY RECOMMENDATIONS FOR
EDUCATION BASED INCARCERATION

RECOMMENDATION NO. 1

LASD Community Transition Unit to increase network with community service groups and local businesses to gain employment opportunities for inmates who have completed the EBI program. This can be achieved by attendance at community service clubs such as Rotary, Kiwanis, and Chamber of Commerce meetings. LASD representatives are encouraged to be proactive and attend these meetings fully prepared with names and experiences of EBI graduates.

RESPONSE

The Los Angeles County Sheriff's Department (LASD) agrees with this recommendation. The recommendation will be discussed at the next EBI committee meeting. If feasible, the LASD Inmate Services Bureau will appoint representatives to identify suitable service clubs and community-based organizations as well as attend meetings to discuss EBI and the experiences of EBI graduates.

RECOMMENDATION NO. 2

Assign LASD community outreach staff to actively and consistently network with corporations to acquire corporate support. In addition to financial contributions, seek to acquire access to corporate inventory of excess computers, training, and equipment and classroom furnishings for use in EBI classrooms. Seek expertise of potential guest speakers and enlist assistance from much needed computer training.

RESPONSE

The LASD agrees with this recommendation. The LASD currently has no system in place to accept donations of cash or equipment; however, a nonprofit arm of the LASD, Inmate Services Bureau, is being explored. This recommendation will be discussed at the next EBI committee meetings, and if feasible, the LASD will appoint representatives to identify and "network" with potential vendors. As to the second part of the recommendation, the LASD agrees. It should be noted that the LASD educational programs currently utilize a host of guest speakers, including motivational speakers, Alcoholics Anonymous/Narcotics Anonymous, EBI graduates, and former gang members who qualify for entry in LASD custody facilities.

RECOMMENDATION NO. 3

Procure inventory of translation equipment to effectively communicate course content to the Spanish-speaking population and increase the number of Spanish-speaking instructors. Seek funding approval from Board of Supervisors for translation equipment and/or utilize funds from IWC.

RESPONSE

The LASD agrees with this recommendation. As the Los Angeles County jail system houses a substantial number of Hispanic inmates, the LASD has made every effort to present the same educational opportunities available to English-speaking inmates. The LASD has a small number of Spanish translation devices which are used to translate instruction in the MERIT and SMART programs. This recommendation will be discussed at the next EBI committee meeting as well as the possibility of requesting IWC funds to purchase additional translation equipment. In the event that IWC funds are unavailable, the EBI committee will explore the possibility of funding from the Board of Supervisors.

RECOMMENDATION NO. 4

Evaluate effectiveness of the current level of communication with the Board of Supervisors and all local city councils to increase awareness and support of EBI programs. A strong "circle of influence" in local government is imperative for the ongoing success of the EBI program. Consistent exposure is advised through attendance and agenda input at the Board of Supervisors and countywide city council meetings by high level LASD officials. Ensure funding is sought for specific needs such as computers, translation aids, and other classroom equipment.

RESPONSE

The LASD agrees with this recommendation. Sheriff Baca has spoken frequently to the Board of Supervisors regarding the importance of EBI. The sheriff has also appeared in print media and local radio programming to espouse the importance of inmate education. The LASD has developed an EBI website containing information regarding recidivism, inmate education, and alternative sentencing strategies and is available for public viewing at <http://www.lasdhq.org/divisions/correctional/ebi/index.html>. Members of the EBI committee have made a number of appearances as well, including a recent workshop by Lieutenant Brian Fitch at the 38th Annual National Association of Blacks in Criminal Justice in St. Louis, Missouri. Representatives, particularly Department executives, will continue to represent EBI at Board of Supervisors meetings, community functions, and conferences. The LASD further agrees with the recommendation to fund specific needs such as computers, translation aids, and other classroom equipment. As stated in the response to recommendation number two, the LASD is working to create a nonprofit arm of the LASD capable of accepting donations of cash or equipment.

RECOMMENDATION NO. 5

Identify and address obstacles that exist in jails that deter inmates from participating in education programs due to gang peer pressure. While it is recognized there is no quick or easy fix, the fact remains that this is a major obstacle to increase participation in this valuable program. LASD should actively enlist support from organizations like Home Boy Industries, Communities in Schools, and other gang experts, i.e., ex-gang members to assist in identifying solutions to this major challenge.

RESPONSE

The LASD agrees with this recommendation, specifically with the idea of enlisting ex-gang members to assist in identifying solutions to major challenges. The LASD currently contracts with the Amer-I-Can program which utilizes ex-offenders as teachers. The LASD also partners with former offenders working with the Delancey Street Foundation as well as graduates of the LASD MERIT program and members of Alcoholics Anonymous and Narcotics Anonymous. As the CGJ is well aware, because of security concerns, ex-offenders who have been convicted of certain offenses are precluded from entering custody facilities within Los Angeles County. Nonetheless, the LASD believes that ex-offenders can play a critical role in overcoming the peer pressure and other obstacles that may deter inmates from participating in EBI. Additionally, the LASD has formed an EBI steering committee to assist with EBI-related concerns. The committee is comprised of members from higher education (California State University, Dominguez Hills; California State University, Long Beach; California State University, Los Angeles; the University of La Verne; and University of California, Los Angeles) as well as members of the Delancey Street Foundation.

RECOMMENDATION NO. 6

Review the usage of the IWF expenditures to determine what portion is currently being used for EBI versus other jail expenditures such as capital expenditures. Is there a clearly defined budget allocated for educating inmates and providing recovery programs? Is it being adhered to? Is an appropriate level of funding being allocated to external agencies which can aid in bridging communication gaps that may exist between inmates and uniformed personnel? Ensure adherence to California Penal Code Section 4025 as it relates to the expenditures of the approximate \$47 million in the Inmate Welfare Fund.

RESPONSE

The LASD agrees with this recommendation in theory. The LASD adheres strictly to guidelines of Penal Code Section 4025. Currently, IWC funds are allocated as follows: 51 percent to inmate programs and education; 49 percent to maintenance of county jail facilities. As a result of the LASD's reduced jail population (currently about 15,000 inmates countywide), contracts with LA Works for vocational instruction and start-up funds for the HOPE Leadership Charter High School, the IWC funds are rapidly being

depleted. This includes future moneys which have already been allocated for inmate education through the Inmate Services Bureau, including the Community Transition Unit. The primary purpose of the Inmate Services Bureau as well as the Community Transition Unit is to provide services, training, and resources aimed at improving the quality of life for the inmate population, reducing recidivism through education, and bridging the gap between uniformed personnel and members of the inmate population as well as providing post-release services aimed at improving quality of life and reducing the possibility of future arrest.

RESPONSE TO THE GRAND JURY FINAL REPORT

COUNTY OF LOS ANGELES – SHERIFF'S DEPARTMENT – CUSTODY
OPERATIONS DIVISION

SUBJECT: 2010-2011 GRAND JURY RECOMMENDATIONS FOR
THE SIX PODS OF MODULE 172

RECOMMENDATION NO. 1

The CGJ recommends that the Board of Supervisors considers both the Sheriff's Proposal along with the CGJ's Report and approve cameras – beginning with the Pods of Module 172.

RESPONSE

The Sheriff's Department concurs with the CGJ's recommendation. A site analysis has been completed and submitted to the Department's Facility's Services Bureau. The installation of cameras into Module 172 will increase safety not only for inmates, but for staff as well. Additionally, the Department believes the installation will also help reduce liability and mitigate the cost of civil defense claims and lawsuits.

RECOMMENDATION NO. 2

The CGJ recommends that pilot programs for new technologies (Transmission Imaging and RFID) be implemented.

RESPONSE

The Sheriff's Department concurs with the CGJ's recommendation. Department members recently conducted a site visit to multiple correctional institutions using Transmission Imaging technology and found it to be a viable solution to curbing contraband. The Division Chief is actively seeking a solution to fund the purchase of the Transmission Imaging units.

The Department is also a proponent to Radio Frequency Identification (RFID) technology. Staff is in the process of developing a pilot project to test the technical aspects of the application.

RESPONSE TO THE GRAND JURY FINAL REPORT

COUNTY OF LOS ANGELES – SHERIFF'S DEPARTMENT

SUBJECT: 2010-2011 GRAND JURY RECOMMENDATIONS FOR
JAILS COMMITTEE

RECOMMENDATION NO. 1

Long Beach Courthouse lockup facility –

- a. Establish a cleaning schedule for the Courthouse jail.
- b. Establish a checklist to ensure that areas are cleaned effectively

RESPONSE

The Los Angeles County Sheriff's Department agrees with this recommendation. The Internal Services Department (Janitorial service provider) was contacted and an appropriate check list and schedule was established for the lock up area. Follow up to the daily cleaning schedule will be documented and reviewed by a supervisor in the Title 15 Lock Up book.

RECOMMENDATION NO. 2

Pasadena Courthouse lockup facility -

- a. Establish a process to identify areas in the facility that require painting.
- b. Establish a checklist to ensure that areas are cleaned regularly.

RESPONSE

The Los Angeles County Sheriff's Department agrees with this recommendation. The Internal Services Department (Janitorial service provider) was contacted and an appropriate check list and schedule was established for the lock up area. Additionally, Sheriff's Facilities Services Bureau has been contacted and has identified the areas requiring painting which include the holding areas, lock up doors, wire mesh, lock up ramps, and the Sheriff's office. Since the responsibility for maintaining all courthouse buildings (including lock ups) in Los Angeles County has been transferred to the State we have submitted a request to the State to secure funding for the painting project.